

BILL NO. S-68-04-32

SPECIAL ORDINANCE NO. S- 63-68

AN ORDINANCE approving Sewer Agreement between WILLIAM R. LEININGER and the CITY OF FORT WAYNE for construction of Sanitary Sewer Extension for Merchandise Place area.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Sewer Agreement, approved April 4, 1968, between WILLIAM R. LEININGER, as Developer, and the CITY OF FORT WAYNE, INDIANA, by and through its Mayor and Board of Public Works, as City, for the construction of Sanitary Sewer Extension as follows:

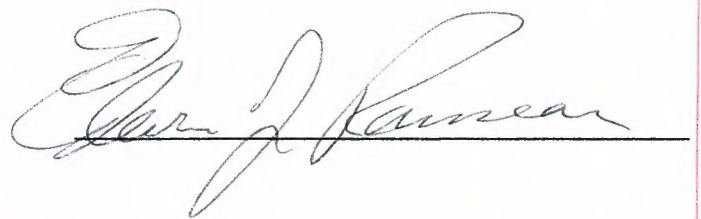
Beginning at an existing manhole located on the South side of I-69 and at Northwest corner of lot numbered in Merchandise Place Addition; thence Northeasterly along the South side of I-69, 680± feet to a proposed manhole; thence South along the West line of the East 1/2 of the Northwest 1/4 of Section 23, Township 31 North, Range 12 East, 445± feet to a proposed manhole; thence East 200± feet to a proposed manhole; thence South in and along Planeview Drive 706± feet to a proposed manhole; thence East in and along Council Drive 359± feet to a proposed manhole; thence South in and along Industrial Road 720± feet, terminating at a proposed manhole. Said sewer to be 10 ~~and~~ and 12 inches in diameter,

the total cost of said sewer to be borne by Developer, all as more particularly set forth in said Sewer Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

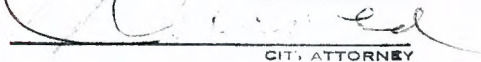
SECTION 2. That the Developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the water main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their or its rights to remonstrate against or otherwise object to, interfere with, or oppose any pending or

future annexation by said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

A handwritten signature in cursive script, reading "Earl J. Kannear", is written over a horizontal line.

APPROVED AS TO FORM
AND LEGALITY, _____

A handwritten signature in cursive script is written over a horizontal line.
CITY ATTORNEY

Bill No. S-68-04-32

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance
approving Sewer Agreement between WILLIAM R. LEININGER and the CITY OF FORT
WAYNE for construction of Sanitary Sewer Extension for Merchandise Place area,

I have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

EDWIN J. ROUSSEAU, Chairman

PHIL A. STEIGERWALD, Vice-Chairman

JOHN NUCKOLS

THOMAS G. ADAMS

WILLIAM K. GEAKE

Edwin J. Rousseau
Phil A. Steigerwald
John Nuckols
Thomas G. Adams
William K. Geake

DATE 5/14/68

JOHN G. BOLANDER, CITY CLERK

Read the first time in full and on motion by Rousseau seconded by Steigerwald and duly adopted, read the second time by title and referred to the (Committee on) city utilities (and to the City Planning Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____ 196____, at _____ o'clock _____ P.M., E.S.T.

Date: 4-23-68 Frank G. Benakoon
City Clerk

Read the third time in full and on motion by Rousseau seconded by Steigerwald and duly adopted, placed on its passage.

Passed (~~LOST~~) by the following vote:

AYES	NAYS	ABSTAINED	ABSENT	to-wit:
<u>9</u>	<u>0</u>			
Adams				
Dunifon				
Fay				
Geake				
Nuckols				
Robinson				
Rousseau				
Steigerwald				
Tipton				

Date 5-14-68 Frank G. Benakoon
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map)(General)(Annexation)(Special)(Appropriation) Ordinance (Resolution) No. 8-63-68 on the 14 day of May, 1968.

ATTEST: (SEAL) Frank G. Benakoon City Clerk Jack R. Dunifon Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of May, 1968 at the hour of 10:00 o'clock A.M.,E.S.T. Frank G. Benakoon City Clerk

Approved and signed by me this 15th day of May, 1968 at the hour of 10:34 o'clock A.M.,E.S.T. Harold S. Jais Mayor